



# भारत का राजपत्र

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NEW DELHI, TUESDAY, MAY 20, 1986/VAISAKHA 30, 1908

इस भाग में भिन्न पृष्ठ संख्या ही जाही है जिससे कि यह अलग संकलन के रूप में  
रक्का जा सके।

Separate Paging is given to this Part in order that it may be filed as a  
separate compilation

गृह मंत्रालय

नई दिल्ली, 20 मई, 1986

अधिसूचनाएं

का.आ. 270(अ).—केन्द्रीय सरकार ने विधिविरुद्ध क्रियाकलाप (निवारण) अधिनियम, 1967 (1967 का 37) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के गृह मंत्रालय की अधिसूचना सं. का.आ. 787(अ), तारीख 26 अक्टूबर, 1985 द्वारा पीपल्स लिब्रेशन आर्मी (पूर्वी क्षेत्र), पीपल्स रेबोल्यूशनरी पार्टी आफ कांगलीपाक और उसके रेड आर्मी और साथ ही प्रिपाक की शाखाओं, जैसे कांगलीपाक कम्यूनिस्ट पार्टी और उसके सशस्त्र विंग को, जो रेड आर्मी कहलाता है तथा उनके द्वारा स्थापित अन्य निकायों को विधिविरुद्ध संगम घोषित किया था;

और केन्द्रीय सरकार ने, उक्त अधिनियम की धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के गृह मंत्रालय की अधिसूचना सं. का.आ. 840(अ), तारीख 22 नवम्बर, 1985 द्वारा विधिविरुद्ध क्रियाकलाप (निवारण) अधिकरण गठित किया था जिसमें गोहटी उच्च न्यायालय के न्यायाधीश न्यायमूर्ति श्री अफीकुल हक्क ये;

और केन्द्रीय सरकार ने, उक्त अधिनियम की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिसूचना को 22 नवम्बर, 1985 को उक्त अधिकरण को यह अधिनिर्णीत करने के प्रयोजन के लिए निर्दिष्ट किया था कि उक्त यांगों को विधिविरुद्ध घोषित करने के लिए पर्याप्त कारण ये या नहीं;

और उक्त अधिकरण ने उक्त अधिनियम की धारा 4 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, 24 अप्रैल, 1986 को एक आदेश किया था जिसमें अधिसूचना सं. का.आ. 787(अ), तारीख 26 अक्टूबर, 1985 में की मई बोधाणा की पुस्ति की थी;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 4 की उपधारा (4) के अनुसरण में उक्त आदेश को प्रकाशित करती है, अर्थात्:—

(स्पोर्ट तथा आदेश)

MINISTRY OF HOME AFFAIRS

New Delhi, the 20th May, 1986

NOTIFICATIONS

S.O. 270(E).—Whereas the Central Government, in exercise of the powers conferred by sub-section (1) of section 3 of the Unlawful Activities (Prevention)

Act, 1967 (37 of 1967), declared the People's Liberation Army (Eastern Region), People's Revolutionary Party of Kangleipak and its Red Army, as also the offshoots of PREPAK like the Kangleipak Communist Party and its armed wing, also called the Red Army and other bodies set up by them to be unlawful associations vide notification of the Government of India in the Ministry of Home Affairs No. S.O. 787(E), dated the 26th October, 1985;

And whereas the Central Government, in exercise of the powers conferred by sub-section (1) of section 5 of the said Act, constituted vide notification of the Government of India in the Ministry of Home Affairs No. S.O. 840(E), dated the 22nd November, 1985, the Unlawful Activities (Prevention) Tribunal, consisting of Shri Justice Shafiqul Haque, Judge of the Gauhati High Court;

And whereas the Central Government, in exercise of the powers conferred by sub-section (1) of section 4 of the said Act, referred the said notification to the said Tribunal on the 22nd November, 1985 for the purpose of adjudicating whether or not there was sufficient cause for declaring the said associations as unlawful;

And whereas the said Tribunal, in exercise of the powers conferred by sub-section (3) of section 4 of the said Act, made an order on the 24th April, 1986, confirming the declaration made in the notification No. S.O. 787(E), dated the 26th October, 1985;

Now, therefore, in pursuance of sub-section (4) of section 4 of the said Act, the Central Government hereby publishes the said order, namely —

#### REPORT AND ORDER

The Government of India in the Ministry of Home Affairs made this Reference under the provision of Section 4(1) of the Unlawful Activities (Prevention) Act, 1967, in short 'the Act', to this Tribunal in connection with the Government of India Notification No. S.O. 787(E) New Delhi, dated 26th October, 1985 in the Ministry of Home Affairs issued under the provision of section 3(1) of the 'the Act' published in the Extra Ordinary Gazette of India dated New Delhi the 26th October, 1985. This Notification is marked as Ext. 27. By this Notification the Government of India has declared the People's Liberation Army (Eastern R. . . . . known as the PLA, the People's Revolutionary Party of Kangleipak (hereinafter referred to as PREPAK) and its 'Red Army' as also the offshoots of PREPAK like the Kangleipak Communist Party (KCP) and its armed wings also called the 'Red Army' which are known as Meitei Extremist Organisations' as Unlawful Association on the following grounds :—

- (i) that they have openly declared their objective to form an Independent Manipur comprising the State of Manipur and have

resorted to violent activities to achieve their objectives for secession of Manipur from the Union of India and have also brought out leaflets declaring that they will continue fighting against the Indian Imperialist Forces until they attain the objectives ;

- (ii) that they have been employing their Armed Forces, namely the PLA, the 'Red Army' and the other bodies, to achieve their aforesaid objectives ;
- (iii) that they have infurtherance of achieving the aforesaid objectives been employing their said armed forces by reportedly attacking the Security Forces, the Civil Government and the citizens in the State of Manipur, and indulging in the acts of looting and intimidation against the civilian population and collection of funds for their organisations ; and
- (iv) that they have, for achieving their objective, made efforts to resume their contacts with foreign countries for securing assistance by way of arms and training

(2) In exercise of the powers conferred by Section 5(1) of the 'the Act' the Government of India has constituted this 'Unlawful Activities (Prevention) Tribunal' by Notification No. S.O. 840(E) New Delhi, the 22nd November, 1985 issued by the Ministry of Home Affairs in the Extra Ordinary Gazette of India for the purpose of adjudicating whether or not there is sufficient cause for declaring 'the Meitei Extremist Organisations' as Unlawful Associations. This Notification is marked as Ext. 28. A copy of the Government of India Notification dated 26-10-1985 along with 'the Resume' containing the basic facts and materials on the basis of which the grounds of the Notification are based, have been accompanied with the reference made to this Tribunal.

(3) For the purpose of enquiring to adjudicate the reference, the Tribunal by orders dated 24th and 27th January, 1986 directed to issue notice in accordance with Section 4(2) of the 'the Act' calling upon the Associations effected by the Notification to show cause in writing within 30 days from the date of receipt of such notice as to why these Associations should not be declared unlawful. This Tribunal is fully satisfied that notices have been duly issued and served by various modes prescribed under Rule 6 of the Unlawful Activities (Prevention) Rules, 1968. The letter No. 16/5/72-Pol (1) Pt. IV Imphal, 2nd April, 1986 by the Under Secretary to the Government of Manipur in the Home Department (marked Ext 25) addressed to the Registrar of the Tribunal discloses the fact of due services of the notices by various modes. No person on behalf of the Associations made appearance nor any cause has been shown

in reply to the notices. None appeared for the Associations when this matter was called upon the hearing on and from 7th day of April, 1986.

(4) Mr. A. R. Borthakur, Bar-at-Law, Senior Advocate assisted by Mr. P. Borthakur, advocate made appearance from the inception of the proceeding on behalf of the Government of India as well as for the Government of Manipur. The Central Government filed affidavit through Mr. R. Vasudevan, Joint Secretary to the Government of India, in the Ministry of Home Affairs, New Delhi stating the causes for which the Central Government had to issue the Notification dated 26-10-1985 declaring the Meitei Extremist Organisations as Unlawful Associations. Ext. 29 is the affidavit by the Central Government. The Government of Manipur has also filed affidavit through Mr. Kh. Mahendra Singh, Under Secretary, Department of Home Affairs, Government of Manipur supporting the causes for which the Central Government had to issue the Notification. Ext. 26 is the affidavit submitted by the Government of Manipur. These two affidavits have further updated and supplemented the facts and the materials furnished in 'the Resume'.

(5) On the basis of the Notification 'the Resume', the affidavits of the Central Government and the Government of Manipur, the following issues are framed :—

**ISSUE NO. 1.**—Whether the Government of India is justified in issuing the Notification No. S.O. 737(F) dated New Delhi the 26th October, 1985 under the provisions of Section 3(1) of the Unlawful Activities (Prevention) Act, 1967 declaring the Meitei Extremist Organisations i.e. the People's Liberation Army (Eastern Region), known as the PLA, the People's Revolutionary Party of Kangleipak (hereinafter referred to as PREPAK) and its 'Red Army' as also the offshoots of PREPAK like the Kangleipak Communist Party (KCP) and its armed wing also called the 'Red Army' as Unlawful Associations on the grounds described in this Notification Ext. 27?

**ISSUE NO. 2.**—Whether there is sufficient cause for declaring these associations to be Unlawful as made in the Notification and whether the same deserves confirmation by this Tribunal?

(6) Evidence of three witnesses have been recorded for and on behalf of the Central Government and the Government of Manipur and 29 documents have been proved.

#### **HISTORY OF THE MEITEI EXTREMIST ORGANISATIONS AND THEIR AIMS AND OBJECTS.**

(7) 'The Resume 1985' furnished by the Central Government and the booklets/Leaflets Ext. 2(F) and Exts. 3 to 22 have described the historical growth with the aims and objects of the Meitei Extremist Organisations. These booklets and leaflets

have brought out and circulated by the Organisations during the period from 1979 to April, 1984.

(8) It is on record that the Meitei extremism manifested itself in 1966 to liberate Manipur and to bring about secession from Union of India through armed revolution, but the said 'Meitei State Committee' had been dissolved in 1969. The leading extremist leaders like N. Bisewar Singh, Y. Promod Singh and others formed in underground 'the Revolutionary Government of Manipur' (RGM) in latter part of 1968 to liberate Manipur through speedy armed revolution in collaboration with the underground Nagas and Mizos and with assistance of Pakistan and China. They faced some set back following liberation of Bangladesh (1971) and the announcement of general amnesty on 25th January, 1975 by the Government to all underground Meitei Extremist for their rehabilitation.

(9) In 1976, some of the leaders of the ex-RMG including N. Bisewar Singh revived the activities of RGM with a new name as 'Armed Revolutionary Government of Manipur' (ARGM) to achieve liberation of Manipur through armed revolution. They got their volunteers trained in ideology and arms in China. Their programme included collection of arms and ammunition by killing security forces, police personnel, raids on isolated police and army posts and large scale armed violence. In 1976 this ARGM had been renamed as 'People's Liberation Army Eastern Region' (PLA) with firm determination to continue with the policies and programmes of the ARGM for formation of an Independent Manipur and bring about complete secession of Manipur from Union of India. With that view, since then, the PLA have been continuously indulging in committing violent incidents to achieve their objectives. They maintained contacts with underground extremists of Nagas and Mizos and with foreign countries like China and Burma.

(10) 'The Dawn Vol. I, Dawn Vol. II and Dawn Vol. III' marked Ext. 13, 14 and 15 are the 3 notable Booklets circulated by the PLA in 1979-80. They focused the policy and programme of the party. Revolutionary articles including the speech of N. Bisewar Singh have been published therein. They clearly declared the intention of the organisation to overthrow the Government of India Administration and called upon all for guerrilla warfare and war of annihilation for achieving an Independent Manipur. It is found therein that the PLA maintained contacts with China in securing assistance by way of arms and training and also obtained advice. The achievements of the PLA have also been discussed. The Government of India had been declared as a 'Foreign Government' in Manipur. 'Dawn Vol. II' contained the communist song 'International' as also various slogans of the PLA, such as "Down with Delhi Gangs", "We want Independent" and PLA defends our Mother Land". Dawn Vol. III reiterated the policy and programme of the previous volumes.

(11) Besides, the 'Dawn' the PLA circulated various other leaflets and progress report during the period from 1979-84 which are marked Exts.—3, 5, 6, 16, 17, 18 and 19. They also declared

the policy and programme of the PLA and their objective to achieve liberation of State of Manipur by armed revolution. They also proved their link with China and Burma and assistance from them by way of arms and training in guerrilla war fare. Progress of their Unlawful Activities in furtherance of achieving objective have also been focused.

(12) Some of the extremists parted company of the PLA and formed PREPAK in about 1978. This organisation also claimed to liberate the entire territory of Kangleipak covering the present State of Manipur through armed revolution. The PREPAK framed their Constitution (Ext. 4) in 1980-81 to govern the Independent Manipur. PREPAK also circulated Booklets and leaflets (Exts. 7, 8, 9, 20, 21 and 2-F) during the period from 1978-84 which included the "War Bulletin for Independent", "Revolt we must" and "IN THE INDEPENDENT STRUGGLE FOR COMMON PEOPLE". It is found that the policy and programme of the PREPAK are common with that of PLA with the object to form Independent Manipur through armed revolution. The PREPAK appealed to the youth of the region to form 'Red Army' for bringing freedom of Kangleipak. They maintained own Flag and Emblem. Their army volunteers were educated in the spirit of Marxism and Maoism. Ext. 2(E) is a speech of N. Gambhir Singh leader of the PREPAK. He called upon the members of the Meitei Organisation to observe the instructions of the party and to continue fighting for establishing Independent Manipur by armed revolution. The KCP is an offshoot of the PREPAK. Booklets and Leaflets (Ext. 10, 11 and 12) namely 'Red Star', 'TO THE PEOPLE' and 'Plan of Three Policies' had been published and circulated by the KCP. It declared to fight for liberation of Manipur and to root out the colonial rule under Indian Dominion and also to introduce KCP to the International Forum.

(13) The History and the violent activities of the Meitei Extremist Organisations, since 1966 till upto date, have proved that their aims and objective is 'Liberation' of Manipur through an armed struggle. With such aim the organisations have been attacking Security Forces and Civil Government and the Citizens of the State of Manipur and indulging in the acts of looting and intimidation against the civilian population and collecting funds for the organisations for formation of an Independent Manipur. In view of their continuous violent unlawful activities, the Government of India was compelled to declare the Meitei Extremist Organisations as unlawful associations for three consecutive terms under Section 3(1) of the Unlawful Activities (Prevention) Act, 1967 by Notifications dated 26th October, 1979, 26th October, 1981 and 26th October, 1983 and those Notifications have received due confirmation by appropriate Tribunals.

(14) Now this Tribunal is concerned with the Notification dated 26-10-1983 (Ext. 27) and to give its decisions on the issues.

#### DECISION ON ISSUE No. 1

(15) The Meitei Extremist Organisations namely PLA, PREPAK, KCP and their wings known as 'Red

Army' had been declared as unlawful associations in last 3 consecutive terms as referred above. But there has been no change in aims and objectives of the organisations during the last 2 years till upto date and they have been actively indulging in violent activities for Liberation of Manipur through an armed struggle. The evidence of the 3 witnesses, the informations in the 'Resume' (Ext. 1) at page 11 to 22 and the informations in the 4 documents (Exts. 24 A-D) have sufficiently proved that the Meitei Extremist Organisations are alive embracing their aims and objectives to liberate Manipur through an armed struggle. The volunteers and the 'Red Army' of the organisations are struggling under the influence and directions laid down in the booklets, leaflets of the parties and the speeches of leaders like N. Biseshwar Singh and N. Gambhir Singh. Even after declaration of these organisations as Unlawful associations from 26th October, 1983, they have been continuing to indulge in activities aimed at strengthening the organisations, augmenting their armed strength and building up their financial resources. They indulged in a number of violent incidents of arms snatching from Security Forces, Police Personnel and looting of Banks and other public offices besides extorting money from individuals. They collected fund under the head 'Protection Money'. They continue to make Security Forces/Police Personnel and also Security Force 'informations' as targets of their attack with a view to reduce People's faith in the law maintaining forces and creating fear psychosis in the minds of common people and thereby making them submit to the writ of Meitei Extremist Organisations. They also tried to disrupt the General Elections to the Manipur State Assembly (December, 1984) by indulging in the incidents of assault on a few candidates. They continue to entice Meitei youth to their fold and exfiltrate them to Burma for arms and ideological training.

(16) The PLA continue to be the most important Meitei extremist group in the Valley area of Manipur. It is proved by the evidence of the 3 responsible witnesses that the PLA is alive and active with the aim to achieve 'Liberation' of Manipur through an armed struggle. The PREPAK, the KCP and their armed wings 'Red Army' are also continue to pursue their objective for liberation of Manipur through an armed struggle. It is also proved by the evidence of the 3 responsible witnesses that they are alive and active. PREPAK posters containing slogans like 'LONG LIVE PREPAK', 'LONG LIVE MNF', 'WORLD REVOLUTIONARIES UNITE', 'SALUTE TO MARTYRS' etc. appeared in Manipur on October, 1984. On 21st January, 1984 PREPAK extremist raided the house of the father of Mr. R. K. Dorendra Singh, former Chief Minister of Manipur at Imphal. On 21st/22nd June, 1984 PREPAK extremists committed murder of an Meitei muslim in Thoubal District. The KCP extremists and its armed wing 'Red Army' continue to struggle the 'Liberation of Manipur' to make it an 'Independent Socialist State' based on the principles of Marxism, Leninism and Maoism.

(17) The PLA the PREPAK, KCP and their armed wing 'Red Army' committed violent activities in Manipur continuously since October, 1983 till March, 1986. During that period they committed total 71 violent incidents of crimes, looting of money and snatching of weapons. The PLA extremists are involved in 16 violent activities described in Ext. 2. The PREPAK extremists are involved in 13 violent incidents described in Ext. 2-A. The KCP extremists are involved in 3 violent incidents described in Ext. 2-B. The rest of the 39 incidents have been committed by unidentified Meitei extremists as described in the 'Resume'. The witness No. 1 being a responsible Officer on the spot at Manipur has proved that all informations of the 33 violent incidents described in Ext. 2, 2-A and 2-B are correct. This officer has proved 33 First Information Reports of major violent incidents out of the total 71 incidents of different Police Stations in the State of Manipur. These 33 First Information Reports are marked as Ext. 23. Besides these 71 incidents, the PLA and the PREPAK extremist committed another 4 violent incidents described in Ext. 23(A). These violent incidents are committed in April, 1985, November, 1985, December, 1985 and March, 1986. It is found that PLA and PREPAK have committed 3 major violent incidents even after issuance of the Notification dated 26th October 1985. In the incident of December, 1985 the Meitei extremist opened fire on Security Forces and killed Captain S. Kashinathan and one civilian K. Nodia @ Prem Singh of Konthoujam and injured one Captain and 2 others armed personnel. During the period from October, 1983 till March, 1986, the Meitei extremist of the PLA, PREPAK and KCP killed as many as 24 persons including members of the armed forces as well as civilians, 43 persons were wounded, 11 weapons were snatched away from Security Forces and Police Personnels and Rs. 12.03 lakhs was looted. Thus, it is proved by oral and documentary evidence that the Meitei Extremist Organisations are alive and active by openly declaring their objectives to form an Independent Manipur through an armed revolution and to bring about secession of the State of Manipur from the Union of India. They brought out leaflets and slogans to continue fighting against the Indian Imperialist Forces until their objectives are attained. In furtherance of their objective, their armed forces have been attacking the Security Forces|Police Personnels, the civilian Government and the citizens of the State of Manipur and indulging in acts of looting and intimidation against the civilian population and collecting funds. They are in contact with foreign countries for securing assistance by way of

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arms and training. They committed violent incidents of murder, snatching of weapons and looting huge amount described above. It is proved that they are out to disrupt the sovereignty and territorial integrity of India.

(18) Under the above circumstances, I noted that the Government of India is justified in issuing the Notification No. S.O. 787(E) dated New Delhi the 26th October, 1985 under Section 3(1) of the Unlawful Activities (Prevention) Act, 1967 declaring the Meitei Extremist Organisations as unlawful associations on the ground described in that Notification. The Meitei Extremist Organisations include the People's Liberation Army (Eastern Region), known as the PLA, the People's Revolutionary Party of Kangleipak known as PREPAK and its 'Red Army' as also the offshoots of PREPAK like the Kangleipak Communist Party (KCP) and its armed wing also called the 'Red Army'.

Issue No. 1 is answered in the affirmative.

#### DECISION ON ISSUE NO 2

(19) In view of the decision under Issue No. 1, I hold that there is sufficient cause for declaring the Meitei Extremist Organisations as unlawful associations by the Notification No. S.O. 787(E) dated New Delhi the 26th October, 1985 under Section 3(1) of the Unlawful Activities (Prevention) Act, 1967 and it deserves confirmation. Accordingly, I confirm the declaration made by the Government of India in that Notification.

Sd/- S. HAQUE  
24-4-1986

TRIBUNAL  
[F. No. 11/9/85-NEI]

का.आ. 271(अ).—भारत सरकार के गृह मंत्रालय की अधिसूचना सं. का.आ. 840(अ), तारीख 22 नवम्बर, 1985 द्वारा गठित "विधिविशद क्रियाकलाप (निवारण) अधिकरण" ने जिसमें गोहाटी उच्च न्यायालय के न्यायाधीश न्यायमूर्ति श्री शक्तीकुल हक्क थ और जिसे भारत सरकार के गृह मंत्रालय की अधिसूचना सं. का.आ. 787(अ), तारीख 26 अक्टूबर, 1985 में अन्तर्विष्ट विषय का अधिनिर्णय करने का काम सौंपा गया था, अपना कार्य पूरा कर लिया है;

और केन्द्रीय सरकार की यह राय है कि उक्त अधिकरण का आगे बना रहना अनावश्यक है;

अतः, ग्रन्थ, केन्द्रीय सरकार, विधिविशद क्रियाकलाप (निवारण) अधिनियम, 1967 (1967 का 37) की धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निवेश देती है कि उपर्युक्त अधिकरण राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से विद्यमान नहीं रहेगा।

[सं. 11/9/85-ड.प्र.-I]

आर. वासुदेवन, संयुक्त सचिव (उ. पू.)

S.O. 271(E).—Whereas the “Unlawful Activities (Prevention) Tribunal”, consisting of Shri Justice Shafiqul Haque of Gauhati High Court, constituted by the notification of the Government of India in the Ministry of Home Affairs No. S.O. 840(E), dated the 22nd November, 1985, to adjudicate upon the matter contained in the notification of the Government of India in the Ministry of Home Affairs No. S.O. 787(E), dated the 26th October, 1985 has completed its work;

And whereas the Central Government is of the opinion that the continued existence of the said Tribunal is unnecessary;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 5 of the Unlawful Activities (Prevention) Act, 1967 (37 of 1967), the Central Government hereby directs that the aforesaid Tribunal shall cease to exist with effect from the date of publication of this notification in the Official Gazette.

[No. 11985-NE. I]

R. VASUDEVAN, Jt Secy. (NE)